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THE J.M. SMUCKER COMPANY

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Attorneys for Plaintiff
DIANA PARKER

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DIANA PARKER, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

J.M. SMUCKER CO., an Ohio Corporation,

Defendant.

Case No. CV 13-00690-SC

**STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE
AND SETTING BRIEFING
SCHEDULE FOR MOTION TO
DISMISS AMENDED COMPLAINT**

[Proposed Order submitted concurrently
herewith]

CMC Date: June 21, 2013

Time: 10:00 a.m.

Judge: The Honorable Samuel Conti

Action Filed: February 15, 2013

Am. Complaint Filed: May 13, 2013

1 Plaintiff Diana Parker ("Plaintiff"), on behalf of herself and all others similarly situated,
 2 and Defendant The J.M. Smucker Company ("Smucker"), through their undersigned counsel,
 3 hereby stipulate as follows:

4 WHEREAS, the Court has scheduled a case management conference for June 21, 2013, at
 5 10:00 a.m. (Dkt. No. 13);

6 WHEREAS, Plaintiff filed an Amended Complaint on May 13, 2013 (Dkt. No. 16);

7 WHEREAS, Defendant anticipates filing a motion to dismiss the Amended Complaint on
 8 June 17, 2013 and plan to set the motion to be heard at 10:00 a.m. on August 2, 2013; and

9 WHEREAS, the parties believe that the case management conference would be more
 10 productive after the Court has had an opportunity to review or decide the motion to dismiss;

11 WHEREAS, the parties now seek to continue the case management conference until the
 12 hearing date for the motion to dismiss, and to set forth a schedule for the briefing related to the
 13 motion to dismiss;

14 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the
 15 approval of the Court that:

- 16 1. Plaintiff's response to the motion to dismiss shall be filed on or before July 12, 2013.
- 17 2. Defendants' reply brief shall be filed on or before July 26, 2013.
- 18 3. Defendants' motion to dismiss shall be heard by the Court at 10:00 a.m. on August 9,
 19 2013, or at such time and date that is convenient for the Court.
- 20 4. The case management conference currently scheduled for June 21, 2013 shall be
 21 continued to 10:00 a.m. on August ²³23, 2013, or to such time and date that is convenient
 22 for the Court.

Dated: June 3, 2013

JENNER & BLOCK LLP

AHDOOT & WOLFSON, P.C.

By: /s/ Kenneth K. Lee
Kenneth K. Lee

By: /s/ Tina Wolfson
Tina Wolfson

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